

**Remarks**

This Application has been carefully reviewed in light of the Panel Decision and the Final Office Action. Claims 1-3, 5-7, 9-15, 19-24, and 28-37 are pending in the Application. The Final Office Action rejects Claims 1-3, 5-7, 9-15, 19-24, and 28-37. Applicants have amended Claims 1, 14, 19, 28, and 34-37, and added Claims 38-45. Applicants respectfully request reconsideration and favorable action in this case.

**Rejections under U.S.C. § 103**

The Final Office Action rejects Claims 1-3, 5-7, 9, 12-15, 34, and 35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,370,373 to Gerth et al. (“*Gerth*”) in view of U.S. Patent Application Pub. No. 2005/0059396 to Chuah et al. (“*Chuah*”), and further in view of U.S. Patent 6,466,777 to Urita (“*Urita*”). The Final Office Action rejects Claims 10, 11, 19-22, 24, 28-33, 36, and 37 under 35 U.S.C. § 103(a) as being unpatentable over *Gerth* in view of *Chuah*, in view of *Urita* as applied to Claim 1, and further in view of U.S. Patent 6,904,278 to Iyer (“*Iyer*”). The Final Office Action rejects Claim 23 under 35 U.S.C. § 103(a) as being unpatentable over *Gerth* in view of *Chuah*, in view of *Iyer* as applied to Claim 19, and further in view of U.S. Patent Application Pub. No. 2003/0185244 to Wu et al. (“*Wu*”). Applicants respectfully traverse these rejections.

Independent Claim 1, as amended, is allowable at least because the combination of *Gerth*, *Chuah*, and *Urita*, proposed in the Final Office Action, fails to disclose, expressly or inherently, “a conflict resolution engine for resolving conflicting access point associations, the conflicting access point associations being two or more associations of one and only one mobile unit with respective two or more access points.<sup>1</sup>” The Final Office Action relies on *Urita* to disclose a prior version of this limitation. *See Final Office Action*, Pages 10-11. Whether or not this is correct, *Urita* fails to disclose the elements of amended Independent Claim 1. For example, as conceded in the Final Office Action, *Urita* “discloses a mobile terminal and a cloned terminal.” *See Final Office Action*, Page 11. A mobile terminal and a cloned terminal, however, is two terminals, and therefore, cannot disclose “one and only one mobile unit” of Independent Claim 1 (emphasis added).

Furthermore, the Final Office Action alleges that the system of *Urita* sees “two identical terminals.” *See Final Office Action*, Page 11. Even if this is correct, which

Applicants do not concede, the fact that the two terminals are identical does not eliminate the fact that they are still two terminals, and therefore, cannot disclose one and only one mobile unit. Additionally, the *Urita* system's alleged vision of identical terminals is irrelevant. One of ordinary skill in the relevant art would understand that the disclosure in *Urita* of a mobile terminal and a cloned terminal is a disclosure of two terminals. In fact, *Urita*, itself, identifies the mobile terminal and the cloned terminal as two separate terminals: mobile terminal 102 and clone terminal 103. *See Urita*, Col. 3, Lines 19-28; *see also Urita*, Figures 1 and 3. As a result, *Urita* fails to disclose, expressly or inherently, "a conflict resolution engine for resolving conflicting access point associations, the conflicting access point associations being two or more associations of one and only one mobile unit with respective two or more access points" of Independent Claim 1 (emphasis added).

For at least these reasons, Independent Claim 1, as amended, is allowable, as are Claims 2-3, 5-7, 9-13, and 38 that depend therefrom. For analogous reasons, Independent Claims 14, 34, and 35, as amended, are allowable, as are Claims 15 and 39-41 that depend therefrom. Reconsideration and favorable action are requested.

Independent Claim 19, as amended, is allowable at least because the combination of *Gerth*, *Chuah*, *Urita*, and *Iyer*, as proposed in the Final Office Action, fails to disclose, expressly or inherently, "providing a dynamic visualization of associations between the access points and corresponding associated wireless devices." The Final Office Action relies on *Iyer* as disclosing a prior version of this limitation. *See Final Office Action*, Page 11. Whether or not this is correct, *Iyer* fails to disclose the elements of amended Independent Claim 11. For example, according to *Urita*:

By reviewing the Tear Down Report, management can discover what cells (dark red, green, blue, etc) exhibit an inordinate amount of tear down activity and undertake remedial measures in response to the report. The report can be run every week, biweekly, monthly, or with whatever frequency is desired.

Referring now to FIG. 5, the method and system are performed by a user logging into the Phoneprint system in step 162 and generating the Tear Down Report for the time period desired.

*See Urita*, Col. 16, Lines 42-52 (emphasis added). As disclosed in the passage, in order for a Tear Down Report to be created, a user must log in and generate the Tear Down Report. As a

result, *Urita* fails to disclose, expressly or inherently, “providing a dynamic visualization of associations between the access points and corresponding associated wireless devices.”

Furthermore, the Final Office Action alleges that “Iyer clearly discloses that the monitoring can be done in real time,” pointing to the passage at Col. 7, Lines 29-47 of *Iyer* as support. *See Final Office Action*, Page 11. This passage, however, merely discloses the monitoring of MSC 12, and therefore, has nothing to do with the generation of graphical Tear Down Reports. *See Urita*, Col. 7, Lines 29-47; *see also Urita*, Col. 16, Lines 19-23. As a result, *Urita* fails to disclose, expressly or inherently, “providing a dynamic visualization of associations between the access points and corresponding associated wireless devices.”

For at least these reasons, Independent Claim 19, as amended, is allowable, as are Claims 20-24 and 42 that depend therefrom. For analogous reasons, Independent Claims 28, 36, and 37, as amended, are allowable, as are Claims 29-33 and 43-45 that depend therefrom. Reconsideration and favorable action is requested.

### **Added Claims**

Applicants have added Claims 38-41. Support for these claims may be found at, for example, at least Page 19, Lines 6-21, and Page 21, Line 25 - Page 22, Line 11 of Applicants’ Specification.

Dependent Claim 38 is allowable at least because the references cited in the Final Office Action fail to disclose, expressly or inherently, “wherein the one and only one mobile unit is one and only one physical mobile unit.” For example, as conceded by the Final Office Action, *Urita* “discloses a mobile terminal and a cloned terminal having the same telephone number.” *See Final Office Action*, Page 11. Two terminals, however, do not disclose “one and only one physical mobile unit.” Furthermore, the Final Office Action alleges that the system of *Urita* sees “two identical terminals.” *See Final Office Action*, Page 11. Even if this is correct, which Applicants do not concede, *Urita* clearly discloses that the two terminals are two separate terminals: mobile terminal 102 and clone terminal 103. *See Urita*, Col. 3, Lines 19-28; *see also Urita*, Figures 1 and 3. As a result, *Urita* fails to disclose, expressly or inherently, “wherein the one and only one mobile unit is one and only one physical mobile unit” of Dependent Claim 38 (emphasis added).

For at least these reasons, Dependent Claim 38 is allowable. For analogous reasons, Dependent Claims 39-41 are allowable. Favorable action is requested.

Applicants have also added Claims 42-45. Support for these claims may be found at, for example, at least Page 26, Line 19 - Page 27, Line 10, and Page 28, Lines 10-13 of Applicants' Specification.

Dependent Claim 42 is allowable at least because the references cited in the Final Office Action fail to disclose, expressly or inherently, "wherein the visualization further includes a projected future view of the associations between the access points and the corresponding associated wireless devices." For example, *Iyer* merely discloses generating a visualization of previous fraudulent calls. *See Iyer*, Col. 16, Lines 21-27; *see also Iyer*, Col. 16, Lines 49-52. As a result, *Iyer* fails to disclose, expressly or inherently "wherein the visualization further includes a projected future view of the associations between the access points and the corresponding associated wireless devices" of Dependent Claim 42 (emphasis added).

For at least this reason, Dependent Claim 42 is allowable. For analogous reasons, Dependent Claims 43-45 are allowable. Favorable action is requested.

**CONCLUSION**

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicants respectfully request allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

The Commissioner is hereby authorized to charge the required \$790.00 fee to file a Request for Continued Examination (RCE). Furthermore, with the addition of new dependent claims, an extra filing fee of \$200.00 is due. The Commissioner is hereby authorized to charge this additional fee of \$200.00 and any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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